

The Honorable Richard A. Jones  
The Honorable Brian A. Tsuchida

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

NORTH CASCADE CONSERVATION COUNCIL;  
and KATHY JOHNSON,

Plaintiffs,

v.

UNITED STATES FOREST SERVICE, an  
administrative agency of the Forest Service; VICKIE  
CHRISTIANSEN, Chief of the Forest Service; JAMIE  
KINGSBURY, Former Forest Supervisor for Mount-  
Baker Snoqualmie National Forest; JODY WEIL,  
Current Forest Supervisor for Mount-Baker  
Snoqualmie National Forest; PETER FORBES,  
Former District Ranger for Darrington Ranger  
District; ERIN ULOTH, Former Acting District  
Ranger for Darrington Ranger District; GRETCHEN  
SMITH, Current District Ranger Darrington Ranger  
District; PHYLLIS REED, Project Lead for  
Darrington Ranger District,

Defendants,

and

HAMPTON LUMBER MILLS-WASHINGTON,  
INC., a Washington corporation, HAMPTON TREE  
FARMS, LLC, an Oregon limited liability  
corporation, and SKAGIT LOG AND  
CONSTRUCTION, INC., a Washington corporation,

Proposed Defendant-Intervenors.

No. 2:20-cv-01321-RAJ-BAT

**DECLARATION OF LINCOLN  
TORGERSON**

1 I, Lincoln Torgerson, declare:

2 1. I make this declaration based on my personal knowledge. I am over the age of 18,  
3 and if called as a witness, could and would competently testify as follows.

4 2. I grew up in Sedro Woolley, Washington and have lived here most of my life.  
5 My entire professional career has been with the logging industry. After graduating high school, I  
6 worked for Hamilton Brothers Logging, where I initially ran the shop but was later promoted to  
7 superintendent. In 1990, I worked as the Operations Manager with Holbrook, Inc., based in  
8 Olympia, Washington. A year later, in 1991, I founded Lincoln Logging which I later dissolved  
9 in 2000. Beginning in 2001, I served as the Operations Manager for LB&R Logging. Since  
10 2015, I have served as the CEO and President of Skagit Log and Construction, Inc. (Skagit Log),  
11 based in Sedro Woolley, Washington.  
12

13 3. In 2015, Bob Halverson, Vice-President of Skagit Log, and I took over Skagit  
14 Log, which was previously operating under various entity names. The company has been  
15 operating in the Skagit Valley for over 25 years. Skagit Log offers a number of services,  
16 including logging, demolition, excavation and land clearing. Currently, Skagit Log has 9  
17 employees. We previously employed 13 people but had to lay off several employees since we  
18 are unable to operate one of our "sides," *e.g.*, a logging unit. We hope to ramp up to two sides in  
19 Spring of 2021, which will require us to hire more employees.  
20

21 4. On August 13, 2020, Skagit Log was awarded the Green Grouse Stewardship  
22 IRSC (Contract No. 1204H120C4101). A stewardship contract helps achieve land management  
23 goals, while meeting local and rural community needs, by focusing on the "end result"  
24 ecosystem benefits and outcomes rather than the amount of timber from the land. Skagit Log  
25 agreed to pay the stumpage value in the amount of \$611,068.50 and, in turn, the Forest Service  
26 has provided \$897,038 of appropriated dollars for Skagit Log to perform the road construction  
27

1 and road reconditioning work. The Forest Service will provide Skagit Log \$16,875 in timber  
2 receipts to perform the weed abatement work authorized under the contract. In total, the Forest  
3 Service has invested \$913,913 for all Construction and Service work authorized under the  
4 stewardship agreement. Skagit Log has paid the Forest Service a performance bond in the  
5 amount of \$250,000. Attached as **Exhibit A** is a true and accurate copy of the award letter.

6 5. The stewardship contract will generate approximately 8 million board feet  
7 (MMBF) of timber. The species include approximately 6 MMBF of western hemlock and 2  
8 MMBF of Douglas-fir. Skagit Log anticipates that Sierra Pacific Industries, based in Mt.  
9 Vernon, will process the logs. If there are any alder species associated with the sale, they would  
10 likely be processed by Port Angeles Hardwood.

12 6. This stewardship contract has a three-year operating window. The purpose of the  
13 Green Grouse Stewardship is to manage forest stands to promote forest stand structure that  
14 would serve as habitat for old-growth associated species and maintain or enhance Riparian  
15 Reserve conditions. The harvest activities will also improve the availability of large snags and  
16 down wood and reduce stand density to make the project area more resilient. The harvest  
17 activities will include thinning from below to variable spacing, creating patches, clumps, groups  
18 of trees, and single trees. The Green Grouse Stewardship also involves road work that would  
19 help provide better public access and mitigate against sedimentation in streams to better protect  
20 fish.

22 7. The Green Grouse Stewardship will include 10.75 miles of specified road  
23 reconstruction for Forest Service Roads (FSR) 4100, 4110, 4110-014, 4110-024 to upgrade  
24 culverts, improve drainage, provide sediment and erosion control, and allow the public better  
25 access. In addition, there will be about 3 miles of temporary road construction that will cost  
26 about \$250,000. Road work is set to begin after June 1, 2021. The operating window for road  
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1 work activities is June 1 to October 15, unless approved by the Forest Service. Skagit Log  
2 intends to complete the road reconstruction and temporary road construction work within two  
3 operating seasons.

4 8. The timber harvest activities will begin on June 1, 2021. Yarding, skidding and  
5 hauling activities are between June 1 to October 15, unless approved by the Forest Service. The  
6 thinning activities involve variable density thinning, with different spacing requirements  
7 depending on the harvest unit. Attached as **Exhibit B** is a true and accurate copy of sale maps  
8 indicating the harvest units.  
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10 9. Hauling work will begin around mid-July after some of the road reconstruction  
11 and temporary reconstruction is underway. Skagit Log anticipates that it will need to use two of  
12 our log haul trucks to perform the hauling work and contract out any additional log trucks, if  
13 necessary.  
14

15 10. The Green Grouse contract requires the removal of invasive plants along FSR  
16 4110, 4110-014, and 4110-024, resulting in 9.8 miles of treatment. Weed abatement work will  
17 likely begin in April 2021. The treatment will occur prior to any harvest or road reconstruction  
18 activities for three years or until the harvest activities are completed.

19 11. Skagit Log has elected to perform the optional road reconditioning work for FSR  
20 41, which will improve drainage and minimize road shoulder failure. There is high traffic on  
21 FSR 41, so the road reconditioning work will provide better public access for recreational users  
22 and mitigate against soil erosion.  
23

24 12. Skagit Log has declined other projects in order to operate the Green Grouse  
25 Stewardship this operating season. In addition, Skagit Log has made substantial financial  
26 commitments, approximately \$555,000, to operate the Green Grouse Stewardship. Skagit Log  
27 has rented a log loader in the amount of \$360,000, purchased a yarder and a slack pull carriage  
28

1 for \$100,000, purchased an excavator for \$80,000, and purchased a dump truck and extra  
2 machinery for \$15,000. If implementation of the Green Grouse Stewardship was delayed or  
3 enjoined due to the litigation, Skagit Log would have to lay off its employees, and the financial  
4 investment losses would be devastating to the company.

5 13. Skagit Log is not adequately represented by the Forest Service in this case.  
6 Although we share the same ultimate goal of upholding the project, Skagit Log has a narrower  
7 economic interest. The Forest Service has a broader responsibility to the public as a whole.  
8 Therefore, the Forest Service cannot adequately represent Skagit Log's unique interests.  
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10 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the  
11 United States of America that the foregoing is true and correct.

12 Executed this 20 day of January, 2021 at Deming, Washington.

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16 Lincoln Torgerson  
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